

AN ACT

relating to the authorization of physicians and therapeutic optometrists to dispense therapeutic contact lenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 551.003, Occupations Code, is amended by adding Subdivision (42-a) to read as follows:

(42-a) "Therapeutic contact lens" means a contact lens that contains one or more drugs and that delivers the drugs into the wearer's eye.

SECTION 2. Section 551.004, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) This subtitle does not prevent a physician or therapeutic optometrist from dispensing and charging for therapeutic contact lenses. This subsection does not authorize a therapeutic optometrist to prescribe, administer, or dispense a drug that is otherwise outside the therapeutic optometrist's scope of practice.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1740 was passed by the House on April 21, 2009, by the following vote: Yeas 140, Nays 1, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1740 was passed by the Senate on May 21, 2009, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor